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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 16TH DAY OF JUNE 1998

BEFORE

THE HON'BLE Mr. JUSTICE H.L. DATTU

WRIT PETITION No. 14098/1998.

BETWEEN:

M.B. Narayanaswamy
aged 36 years,
s/o. M. Bachappa,
Devara Malluru village
Kasaba Hobli,
Siddlagatta Taluk,
Kolar dist.

... PETITIONER

(By Sri H.C. Shivaramu, Adv.)

AND :

1. The Deputy Commissioner
Kolar Dist.,
Kolar.

2. The Tahsildar
Siddalagatta Taluk,
Siddalagatta,
Kolar dist.

... RESPONDENTS

(By Sri Udayshankar, AGA)

This writ petition is filed under Article 226 of the Constitution of India with a prayer to hold that the order dated 07.07.1997 is only for a period of one month and etc.

This writ petition coming on for preliminary hearing this day, the Court made the following;

O R D E R

Petitioner is a licensee carrying on business of distribution of food grains to the card holders attached to his fair price shop. The

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Deputy Commissioner, Kolar, by his order dated 07.07.1997 had suspended the licence granted to the petitioner for a period of one month. That period has expired. Petitioner asserts in the writ petition that after the expiry of the said period he had approached the respondents requesting them to allot food grains for distribution purpose to the card holders. Since the same has not been done by the respondent authorities he is before this Court.

2. The Deputy Commissioner by his order dated 07.07.1997 had suspended the licence granted to the petitioner only for a period of one month. That suspension order is not extended or continued by the respondent authorities. In that view of the matter, the respondent authorities could not have stopped supply of food grains to the petitioner for distribution to the card holders after the expiry of period of suspension. In that view of the matter a direction requires to be issued to the Deputy Commissioner to allot food grains to the petitioner for distribution to the card holders attached to petitioner's shop.

3. Sri Udayshankar learned Government Advocate however submits that the licence granted

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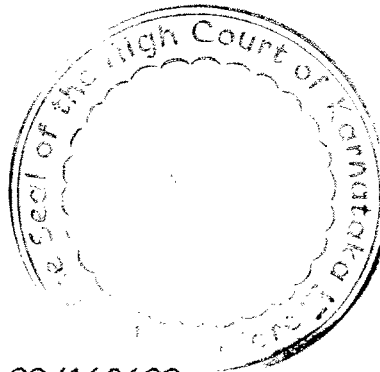
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to the petitioner for distribution is under 1986 order ¹and the life of the licence would be only for one year and that would expire on 30.06.1998. If that is so, respondent authority will supply food grains to the petitioner's shop till the expiry of period mentioned in the licence.

4. With these observations writ petition is disposed off. Ordered accordingly.

5. Sri Udayshankar learned Government Advocate is permitted to file memo of appearance within fifteen days from today.



Sd/-
JUDGE

LRS/WP14098.98/160698